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EXECUTIVE COMMITTEE OF THE
HIGH COMMISSIONER'S PROGRAMME

Forty-seventh session

REVIEW OF EXECUTIVE COMMITTEE WORKING METHODS

1. At its forty-sixth session in October 1995, the Executive Committee adopted a *Decision on Executive Committee Working Methods* (A/AC.96/860, para 32) which introduced a number of changes in the configuration and mandate of the Executive Committee's subsidiary bodies, as well as in its cycle of meetings, agenda, procedures for the adoption of decisions and conclusions, and documentation.

A. Work of the Standing Committee

2. Under the terms of that decision, a Standing Committee, empowered to adopt decisions and conclusions on matters included in its programme of work, was established to replace the Sub-Committee of the Whole on International Protection, the Sub-Committee on Administrative and Financial Matters, and the informal meetings of the Executive Committee.

3. As foreseen by the above-mentioned decision, the Standing Committee held four inter-sessional meetings in the course of 1996 -- in January, April, June and September/October -- to undertake the programme of work established by the Executive Committee in its *Decision on the Programme of Work of the Standing Committee in 1996* (A/AC.96/860, para. 34).

4. On the basis of the authority delegated to it by the plenary, the Standing Committee adopted conclusions and decisions on a number of issues included in its work programme, thus spreading the Executive Committee decision-making process more rationally throughout the year. The decisions adopted are contained in the reports on the work of the Standing Committee (A/AC.96/861, A/AC.96/862, A/AC.96/873, A/AC.96/874 and A/AC.96/875).

5. In addition, the Standing Committee has played its designated role in preparing the work of the forty-seventh session of the Executive Committee.

In June 1996, it selected the annual theme for discussion at the plenary in place of the traditional General Debate (see A/AC.96/872: *Annual theme: the pursuit and implementation of durable solutions*). In September, it began preparation of draft decisions and conclusions for adoption by the forty-seventh session, thereby increasing the transparency and efficiency of the drafting process.

6. Experience of the new Standing Committee process has been positive. It has allowed for rationalizaton of debates, for more timely adoption of decisions and conclusions and for better linkage with the work of the plenary. As a result, the Executive Committee's annual cycle of meetings has gained greater coherence.

B. Documentation

7. The Decision on Executive Committee Working Methods also included a number of provisions in respect of the length and timing of documentation. While the six-page limit introduced for Standing Committee documents has not been feasible in all cases, it has served as a useful rule of thumb and has led to a considerable reduction in the average length of documents. The requirement that Standing Committee documents be issued at least three weeks prior to a meeting has been respected, thus facilitating the work of delegations. In cases where Standing Committee decisions or conclusions have been sought, draft texts have been annexed to the documents concerned.

8. Decisions on documentation stemming from the review of Executive Committee working methods were complemented by recommendations from the Informal Consultations on Budgetary Questions (A/AC.96/860, para. 22). As a result of the latter, regional reviews were introduced at each of the Standing Committee meetings to ensure better governance of regional and country programmes. In order to rationalize documentation prepared for these reviews, to avoid duplication with documentation presented to the plenary, as well as to ensure overall efficiency, the Standing Committee introduced a number of modifications to Executive Committee documentation. Notably, it decided that "country chapters" prepared for each regional review by the Standing Committee should replace those traditionally prepared for the annual session of the Executive Committee (A/AC.96/862, Annex, decision IV). This has resulted in a more rational distribution of documentation throughout the year and streamlining of plenary submissions.

C. Institutionalization of new working methods

9. At its forty-sixth session, the Executive Committee decided that the new working methods would be implemented on an experimental basis for one annual cycle of meetings and their application would be reviewed at the end of the forty-seventh plenary in October 1996 (A/AC.96/860, para. 32 (ll)). The forty-seventh plenary thus needs to decide whether the new arrangements should be definitively adopted.

10. Should the Executive Committee decide to institutionalize the new working methods, minor adjustments will need to be made to its *Rules of Procedure* (A/AC.96/187/Rev.4). Suggested amendments are annexed hereto.

D. Observer participation

11. The issue of participation by observers in the work of the plenary or Standing Committee was left pending in the *Decision on Executive Committee Working Methods*. In this regard, the Executive Committee decided that:

> *The above decisions for the reform of the Executive Committee's working methods will be implemented and their full implications thoroughly drawn before consideration is given to increased participation by observers in the work of the plenary or Standing Committee.*
> (A/AC.96/860, para 32 (kk))

12. The issue of enhanced NGO consultation with United Nations fora has recently been discussed in ECOSOC where developments may be of relevance to the Executive Committee. At the end of a three year review process, ECOSOC adopted on 25 July 1996 a resolution on the *Consultative relationship between the United Nations and non-governmental organizations* (E/1996/L.25) updating arrangements that had been in place since 1968. This resolution, *inter alia*, calls upon

> *the governing bodies of the relevant organizations, bodies and specialized agencies of the United Nations system to examine the principles and practices relating to their consultations with non-governmental organizations and to take action, as appropriate, to promote coherence in the light of the provisions of the present resolution.* (E/1996/L.25, preambular para 7).

13. In a related action, ECOSOC simultaneously

> *Decide[d] to recommend that the General Assembly examine, at its fifty-first session, the question of the participation of non-governmental organizations in all areas of the work of the United Nations, in the light of the experience gained through the arrangements for consultation between non-governmental organizations and the Economic and Social Council.* (E/1996/L.24)

14. In the light of the above developments and of the interest expressed by a number of NGOs in enhancing their participation as observers in the Executive Committee and Standing Committee, the forty-seventh session of the Executive Committee may wish to establish a process of consultation on this issue and to ask the Standing Committee to take appropriate action as part of its inter-sessional programme of work in 1997.

Draft Decision

The Executive Committee,

Recalling the decision of its forty-sixth session that new Executive Committee working methods would be introduced on an experimental basis for one annual cycle of meetings and that their application would be reviewed at the end of the forty-seventh plenary session in October 1996 (A/AC.96/860, para 32),

OP1. Decides, on the basis of experience gained since the forty-sixth session, that the revised working methods provide a sound basis for the organization of the annual cycle of Executive Committee and Standing Committee meetings and that these methods should be definitively adopted;

OP2. Also decides that the Rules of Procedure of the Executive Committee should be revised to reflect these changes in accordance with the proposals put forward in document A/AC.96/868, annex II;

OP3. Further decides to initiate consultations on the participation of NGO observers in the work of the plenary and Standing Committee, bearing in mind revised arrangements for NGO consultation with ECOSOC and further discussions to take place at the fifty-first session of the General Assembly;

OP4. Authorizes the Standing Committee to review the results of these consultations at an inter-sessional meeting early in 1997.

Revisions to the Executive Committee's Rules of Procedure

The following revisions are proposed to the Rules of Procedure of the Executive Committee (A/AC.96/187/Rev.4 in order to reflect (i) the change introduced in the Executive Committee's subsidiary bodies by the discontinuation of the Sub-Committee and the creation of a Standing Committee; (ii) the introduction of Russian as an official language of the Executive Committee; and (iii) procedures adopted by the Executive Committee at its thirty-ninth session in 1988 concerning the participation of observers in subsidiary bodies.

II. AGENDA

Rule 5

The provisional agenda shall include:

(a) all items proposed by the Committee at a previous session;
(b) all items proposed by any member of the Committee provided that such items are proposed within eight days after receipt of the provisional agenda;
(c) all items proposed by any **subsidiary body** which may have been appointed by the Committee to serve in between its sessions;
(d) all items proposed by the High Commissioner;

VIII. DOCUMENTATION AND LANGUAGES

Rule 28

English and French shall be the official and working languages of the Committee, while Arabic, Chinese, **Russian** and Spanish shall be official languages.

XIII. **SUBSIDIARY BODIES**

Rule 42

The Committee may establish such **subsidiary** bodies as may be required for execution of its functions.

Rule 43

The provisions of these rules, to the extent applicable, shall be applied to the proceeding of any **subsidiary** bodies established by the Committee.

Rule 43 bis

Meetings of subsidiary bodies established by the Committee shall be open to participation as Observers by States members of the United Nations and its specialized agencies which have a demonstrated interest in refugee matters and whose applications are approved by the Committee.

Rule 43 ter

The Committee shall draw up a list of intergovernmental organizations to be invited by the High Commissioner to send an observer to meetings of subsidiary bodies.